

REMARKS

Claims 1, 2, 4-18, 20-22, 24, 26, 29, 31, 32, and 35-52 are in the application. Claims 1 and 31 are in independent form. Claims 1, 2, 4-6, 9-13, 16-18, 21, 22, 24, and 26 are allowed. Claims 37-52 are added.

Applicants' agent thanks the Examiner for the courtesies rendered during the recent telephone calls concerning U.S. Patent No. 5,731,047 of Noddin, the references (references A) cited on the face of the '047 patent, and the references (references B) cited during prosecution of the '047 patent but not cited on the face of the '047 patent. The Examiner indicated that he received applicants' Information Disclosure Statement (IDS) concerning the references A and that he has reviewed references B, and indicated that they did not warrant a supplemental IDS.

Applicants have added Figs. 23 and 24 to the drawings. Fig. 23 presents Example 12, the data for which is taken from Table 8 in column 11 of U.S. Patent No. 5,593,606 ('606 patent), of which the U.S. Patent Application No. 08/276,797 was incorporated by reference into the subject application on page 14, lines 1-2. Fig. 24 shows the conversion of the original data of Example 12 into fluences and power densities by laser equations that were well-known to skilled practitioners at the time of filing of the '606 patent.

Applicants have amended the specification to include references to Figs. 23 and 24 and Example 12, which is a description of Fig. 23. The subject matter of the amendments to the specification is taken from column 6, lines 26-32 and column 11 (the paragraph concerning Example 8) of the '606 patent. The contents of Example 12 that pertain to Fig. 23 are substantially the same as the respective contents found in the '606 patent, and the subject matter that pertains to Fig. 24 is inherent to the subject matter disclosed in the '606 patent. Applicants believe that no new matter has been added. Applicants have attached a copy of the '606 patent for the Examiner's convenience.

Claims 37-52 are added by this amendment. These claims depend directly or indirectly from claim 31, which has been deemed allowable by virtue of the submission of a terminal disclaimer over the '606 patent. Applicants believe that Fig 23 and the amendment to the specification provide ample support



for the added claims, and this subject matter is entitled to the original filing date of the '606 patent. In particular, the 266 nm wavelength in claim 37 is supported by the last sentence of added text. The repetition rates of claims 38-40 are recited in samples 6, 8, and 9, respectively, of Fig. 23. The spot sizes of claims 41, 42, and 51 are supported by the original specification of the '606 patent (column 4, lines 43-45) and by the 25 μm spot size reported in Fig. 23. Claim 43 is supported by the 225 mW average output power employed to process the samples in Example 12 and is also supported indirectly by higher average output powers employed to process other examples in the '606 patent.

Claims 44-46 and 49 recite fluence values of 2.30 J/cm², 14.79 J/cm², and 28.72 J/cm² that can be calculated directly from the data in Samples 9, 3, and 7, respectively, of Fig. 23, based on the known formula: Fluence = (Average Power)/((Spot Area)(Rep Rate)). Applicants believe that these examples provide sufficient support for the fluence ranges recited in these claims.

Claims 47, 48, and 50 recite power density values of 1.02×10^8 W/cm² and 7.18×10^8 W/cm² that can be calculated directly from the data in Samples 8 and 7, respectively, of Fig. 23 using the 90 ns and 40 ns endpoints of the preferred pulsewidth range in the '606 patent (column 4, lines 40-41), based on the equation: Power Density = (Fluence/Pulse Width). Applicants believe that these examples provide sufficient support for the power density ranges recited in these claims.

Claim 52 recites that the laser is a solid-state laser, which is supported by the '606 patent and the subject application, which is discussed in both the subject application and the '606 patent.

The subject matter of the new claims is encompassed within the scope of the claims already presented and should, therefore, not raise new issues that would require further searching.

Applicants believe that their application is in condition for allowance and respectfully request the same.

Respectfully submitted,

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